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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/635,467
Filing Date: August 07, 2003
Appellant(s): WIECHERS ET AL.

David R. Risley
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/29/2008 appealing from the Office action mailed 12/13/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,429,947	Laverty et al	6-2002
6,587,217	Lahey et al	9-1997
6,608,697	Schorr et al	7-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-6, 8-10 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laverty et al. (US 6,429,947) in view of Schorr et al. (US 6,608,697) and Lahey et al. (US 6,587,217).

(1) regarding claim 1:

Laverty '947 discloses a method of managing workflow in a commercial printing environment including a designer location (column 10, lines 50-61, where the customer computer is the designer location) and a print service provider location (Fig. 4), said method comprising:

creating at the designer location a print job to be printed by the print service provider location (column 10, lines 50-55, where the user creates the print job on his own computer following provider's indications);

generating at the designer location a press ready file that encapsulates both said print job and said job ticket (column 10, lines 50-61, where the print ready file is been created at he client's computer and all the information about the way the job should be created (job ticket) is included);

submitting said press ready file to the print service provider location via an electronic network (column 10, lines 58-61, where the order is sent to the printer as a press ready file and 406 in Fig. 4 is the network); and

performing at the print service provider least one of automated printing (column 11, lines 31-37, where the print ready file is used for printing), finishing, packaging and shipping using said press ready file (column 11, lines 31-37, where the print ready file is used for shipping after printing).

Laverty '947 discloses all the subject matter as described above except creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location;

However, Lahey '217 teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user select the devices to be used in the printing process) and processing instructions for the print service provider location column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location as taught by Lahey '217 in the system of Laverty '947 and Schorr '697. It is convenient to include in the computer a

GUI to create job tickets and allow the GUI to interface with the server database and library to perform searches therein (column 3, lines 39-41).

Laverty '947 and Lahey '217 disclose all the subject matter as described above except an automated preflight module at the designer location automatically establishing a link to the print service provider location and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket;

said automated preflight module automatically performing an automated remote proofing by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present and (ii) checking said print job and said job ticket for errors.

However, Schorr '697 teaches an automated preflight module at the designer location (column 3, lines 61-67, where the preflight is access the client side) automatically establishing a link to the print service provider location (column 4, lines 29-37, where the print buyer establish a connection with the print vendor) and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket (column 6, lines 41-65, where updated information is being obtained from the print vendor in order to match the specifications of the job with the information of the printers in the provider location);

said automated preflight module (column 3, lines 61-67, where the preflight is access the client side) automatically performing an automated remote proofing (column 3, lines 10-29, where proofing is being performed automatically in the client side, by

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matching information in the print elements to the printer profiles obtained from the vendor) by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present (column 3, lines 10-29) and (ii) checking said print job and said job ticket for errors (column 3, lines 18-23).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an automated preflight module at the designer location automatically establishing a link to the print service provider location and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket, said automated preflight module automatically performing an automated remote proofing by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present and (ii) checking said print job and said job ticket for errors as taught by Schorr '697 in the system of Lavery '947. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particular vendor. Further, as will be understood by reviewing the description of the preferred embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

(2) regarding claim 6:

Lavery '947 further discloses a computer-readable medium that stores a program product (column 47, lines 14-32) for managing workflow in a commercial

printing environment including a designer location (column 10, lines 50-61, where the customer computer is the designer location) and a print service provider location (Fig. 4), said product comprising machine-readable program code for causing, when executed, a machine to perform the following method steps:

creating at the designer location a print job to be printed by the print service provider location (column 10, lines 50-55, where the user creates the print job on his own computer following provider's indications);

generating at the designer location a press ready file that encapsulates both said print job and said job ticket (column 10, lines 50-61, where the print ready file is been created at he client's computer and all the information about the way the job should be created (job ticket) is included);

submitting said press ready file to the print service provider location via an electronic network (column 10, lines 58-61, where the order is sent to the printer as a press ready file and 406 in Fig. 4 is the network).

Laverty '947 discloses all the subject matter as described above except creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location;

However, Lahey '217 teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user select the devices to be used in the printing process) and processing instructions for the

print service provider location column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location as taught by Lahey '217 in the system of Laverty '947 and Schorr '697. It is convenient to include in the computer a GUI to create job tickets and allow the GUI to interface with the server database and library to perform searches therein (column 3, lines 39-41).

Laverty '947 and Lahey '217 disclose all the subject matter as described above except automatically establishing a link to the print service provider location and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket;

automatically performing an automated remote proofing by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present and (ii) checking said print job and said job ticket for errors.

However, Schorr '697 teaches automatically establishing a link to the print service provider location (column 4, lines 29-37, where the print buyer establish a connection with the print vendor) and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket (column 6, lines 41-65, where updated information is being

obtained from the print vendor in order to match the specifications of the job with the information of the printers in the provider location);

automatically performing an automated remote proofing (column 3, lines 10-29, where proofing is being performed automatically in the client side, by matching information in the print elements to the printer profiles obtained from the vendor) by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present (column 3, lines 10-29) and (ii) checking said print job and said job ticket for errors (column 3, lines 18-23).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically establishing a link to the print service provider location and obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket, automatically performing an automated remote proofing by (i) comparing said job ticket with the obtained device configuration information to determine whether all required elements for successful processing of said print job are present and (ii) checking said print job and said job ticket for errors as taught by Schorr '697 in the system of Lavery '947. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particular vendor. Further, as will be understood by reviewing the description of the preferred embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

(3) regarding claim 2:

Laverty '947 further discloses wherein after said step of submitting, said method further comprises a step of verifying, at said print service provider location, that said press ready file will be produced at said print service provider location as designed at the designer location (column 10, lines 62-67 and column 11, lines 1-15) and, if not, correcting said press ready file to ensure production substantially as designed (column 11, lines 16-24, where when the user makes any change to the item (job) the press ready file is corrected as to comply with the job as designed).

(4) regarding claims 3 and 8:

Laverty '947 further discloses wherein said step of performing automated remote proofing further comprises printing on a printer at the designer location (column 11, lines 10-15, where the preview is display at the designer location (customer) in a PDF file, it is inherent as shown in Hitchcock et al. (US Patent 6,345,278) that a PDF file is printable (column 8, lines 20-38)), a high resolution proof representing the final output of the press ready file (column 11, lines 10-15, where PDF is a high resolution format).

(5) regarding claims 4 and 9:

Laverty '947 further discloses wherein said step of performing automated remote proofing further comprises receiving at the service provider location an electronic indication of approval of said high resolution proof from a designer or customer (column 11, lines 16-24, where once the designer is satisfied with item (job) it send an approval).

(6) regarding claims 5 and 10:

Laverty '947 further discloses wherein said printer at a designer location receives color management information of a selected printing device at the print service provider location (column 34, lines 40-53, where the user can select to view the color separation information and this information is received at the designer location (user)) and prints the high resolution proof in accordance with such information (column 34, lines 40-53, where the preview is displaying a PRF (print ready file), which is a PDF file, at the designer location (customer), it is inherent as shown in Hitchcock et al. (US Patent 6,345,278) that a PDF file is printable (column 8, lines 20-38)).

(7) regarding claims 12 and 14:

Laverty '947 discloses all the subject matter as described above except wherein automatically performing an automated remote proofing comprises generating a remote proof file that accurately reflects a final output of said print job that should be produced by the print service provider location.

However, Schorr '697 teaches wherein automatically performing an automated remote proofing (column 3, lines 10-29, where proofing is being performed automatically in the client side, by matching information in the print elements to the printer profiles obtained from the vendor) comprises generating a remote proof file that accurately reflects a final output of said print job that should be produced by the print service provider location (column 6, lines 18-26 and column 8, lines 12-15, where if the print file, previously stored contains no errors is sent to the print vendor).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein automatically performing an automated remote

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proofing comprises generating a remote proof file that accurately reflects a final output of said print job that should be produced by the print service provider location as taught by Schorr '697 in the system of Lavery '947. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particularly vendor. Further, as will be understood by reviewing the description of the preferred embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

(8) regarding claims 13 and 15:

Lavery '947 further discloses wherein generating a press ready file further comprises encapsulating a file in said press ready file (column 22, lines 66-67 and column 23, lines 1-8, where it is evident that any kind of file in this case a EPS file can be attached to a final PRF file).

Lavery '947 discloses all the subject matter as described above except said remote proof file.

However, Schorr '697 teaches said remote proof file (column 6, lines 18-26 and column 8, lines 12-15, where if the print file, previously stored contains no errors is sent to the print vendor).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that a remote proof file is included to a press ready file as taught by Schorr '697 in the system of Lavery '947. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particularly vendor. Further, as will be understood by reviewing the description of the preferred

embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

(10) Response to Argument

Appellant, on pages 7-9, argues that Lavery does not in fact describe any "job ticket" or state that such a job ticket is "encapsulated" along with a print job in a press ready file. Although Lavery identifies a Print Ready File, Lavery does not state that it encompasses a print job and a job ticket.

In response: The examiner disagrees with this statement. Applicant disclosed the job ticket as "This job ticket is initially pre-populated with certain default values and selections. Some of the information in the job ticket is updated and revised and supplemented through a pre-submittal process at the designer location. One piece of information included in the job ticket is the type of document the print job is. For example, the job ticket could indicate that the print job is a sixteen-page brochure. Another category of information contained in the job ticket is the type of paper the designer wishes to use. Other categories of information in the job ticket include the number of copies to be made, the size of the document in pages, an explanation of the document in detail, any special finishing instructions such as lamination, UV coating, types of binding, etc., any special packaging instructions, any shipping instructions and any billing instructions such as account information or billing dates (paragraph [0021], lines 15)". The examiner interprets this as information the user may enter when prompt through a website can be options as the ones mentioned above by the applicant itself, with this in mind; generating at the designer location a press ready file that

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encapsulates both said print job and said job ticket (column 10, lines 50-61, where the print ready file is been created at the client's computer and all the information about the way the job should be created (job ticket) is included). Besides, in order to make the rejection clearer, the job ticket was cited by the examiner with reference to Lahey '217 that teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user select the devices to be used in the printing process) and processing instructions for the print service provider location (column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket).

Appellant, on pages 9-10, argues that Schorr does not disclose an automated preflight module at the designer location "automatically establishing a link to the print service provider location".

In response: The examiner disagrees with this statement. Schorr '697 teaches automatically establishing a link to the print service provider location (column 4, lines 29-37, where the print buyer establish a connection with the print vendor), even when a user is directing his or her website to the provider, the link is established automatically between them two, or if the applicant is suggesting that there has to be a fixed number of users with the commercial printing provider, in which case it deviates from the disclosure of the application.

Appellant, on page 10, argues that the preflight system 101 is clearly not "at the designer location".

In response: The examiner would like to redirect the appellant to column 4, lines 1-60, and taking the disclosure of Schorr as a whole it specifically states that even though he discloses 4 downloadable modules, there can be more or less depending on the necessity of the user, thus if the user needs the whole functionality of the preflight system 101 he or she will download the whole preflight functionality to its own computer.

Appellant, on page 11, argues that Schorr does not actually disclose an automated preflight module "obtaining updated device configuration information from the print service provider location concerning the production devices specified in said job ticket". Furthermore that Schorr say nothing about a production device "specified in said job ticket".

In response: The examiner disagrees with this statement. the appellant is redirected to the same citation (column 6, lines 41-65, where updated information is being obtained from the print vendor in order to match the specifications of the job with the information of the printers in the provider location) and further explains that the examiner interprets this as information the kind of information a job ticket would include regarding the applicant's disclosure, therefore even though it is not actually called "job ticket" it is still believe to contain all the elements of one.

Appellant, on pages 12-13, argues that Schorr's analyzer 111 is located on one or more servers separate from the print buyer 119 and his client machine 121. furthermore that the analyzer 111 is merely described as comparing "document elements" with information listed in a printer profile.

In response: The examiner disagrees with this statement. First the examiner would like to redirect the appellant to column 4, lines 1-60, and taking the disclosure of Schorr as a whole it specifically states that even though he discloses 4 downloadable modules, there can be more or less depending on the necessity of the user, thus if the user needs the analyzer, he or she can download that specific module to his or her computer. Second the examiner interprets "document elements as information the kind of information a job ticket would include regarding the applicant's disclosure, therefore even though it is not actually called "job ticket" it is still believed to contain all the elements of one. Besides, in order to make the rejection clearer, the job ticket was cited by the examiner with reference to Lahey '217 that teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user selects the devices to be used in the printing process) and processing instructions for the print service provider location (column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket).

Appellant, on page 13, argues that Schorr does not actually disclose an automated preflight module performing automated remote proofing by checking a print job and a job ticket for errors. Again, as mentioned above, Schorr does not even discuss job tickets.

In response: The examiner points out that Schorr teaches checking said print job and said job ticket for errors (column 3, lines 18-23). And once again the examiner

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interprets “document elements as information the kind of information a job ticket would include regarding the applicant’s disclosure, therefore even though it is not actually called “job ticket” it is still believe to contain all the elements of one. Besides, in order to make the rejection clearer, the job ticket was cited by the examiner with reference to Lahey ‘217 that teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user select the devices to be used in the printing process) and processing instructions for the print service provider location (column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Lennin Rodriguez

Conferees: /Twyler L. Haskins/

Supervisory Patent Examiner, Art Unit 2625

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